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*Attorneys for Plaintiff CytoSport, Inc.*

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
(SACRAMENTO DIVISION)

CYTOSPORT, INC.,

Plaintiff,

v.

VITAL PHARMACEUTICALS, INC.,

Defendant.

Case No.: 2:08-CV-02632-FCD-GGH

**STIPULATION AND ORDER  
REGARDING PAGE-LIMIT  
EXTENSION FOR PLAINTIFF'S REPLY  
TO DEFENDANT'S OPPOSITION TO  
MOTION FOR PRELIMINARY  
INJUNCTION**

**PLAINTIFF'S STIPULATED PAGE-LIMIT EXTENSION**

**WHEREAS**, the Court, in its November 5, 2008 Order, ordered that all reply briefs should be limited to ten (10) pages;

**WHEREAS**, Plaintiff CytoSport, Inc. ("CytoSport") desires a page extension for its reply brief to Vital Pharmaceuticals, Inc.'s ("VPX") Opposition to Motion for Preliminary Injunction ("VPX's Opposition") due to the complexity and number of issues involved in VPX's Opposition, the seriousness of the motion for preliminary injunction, and the length of VPX's Opposition, which was 40 pages;

**NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED** by and between CytoSport and VPX, by and through their respective attorneys of record, that CytoSport may file a reply brief to VPX's Opposition of up to thirty two (32) pages in length.

DATED: April, 24, 2009

THORPE NORTH & WESTERN, L.L.P.

Peter M. de Jonge  
Gordon K. Hill  
Jed H. Hansen  
THORPE NORTH & WESTERN, L.L.P.

-and-

Mark M. Bettilyon  
Samuel C. Straight  
RAY QUINNEY & NEBEKER P.C.

-and-

MILLSTONE PETERSON & WATTS, LLP  
*Attorneys at Law*

By: /s/ Jed H. Hansen

Attorneys for Plaintiff  
CytoSport, Inc.

Ramsey M. Al-Salam  
Gigi C. Hoang  
Jason A. Yurasek  
**PERKINS COIE, LLP**

-and-

Erica W. Stump  
**VITAL PHARMACEUTICALS, INC.**

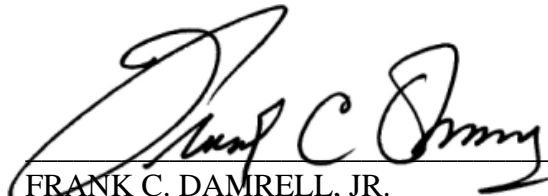
By: /s/ Erica W. Stump  
(as authorized on April 24, 2009)

Attorneys for Defendant  
Vital Pharmaceuticals, Inc.

**ORDER**

**IT IS SO ORDERED,**

DATED: April 24, 2009

  
FRANK C. DAMRELL, JR.  
UNITED STATES DISTRICT JUDGE